App. F. IX-4

Previous References. 1943. (Legn) File No. 10-43
Serial Nos. 1 & 2

Later References.

162

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for August 19

SUBJECT

The Mysore City Municipalities (Second Amendment Act 1943

The Mysore Town Municipalities (Second Amendm Act 19

To
The Compiler Mysore Gazette
No RL 170 171 - Legn 10-43-(1,2) dated 12th Aug 1943
Orders the publication of the Acts in the Gazette

Venkatanarayana
12-8

Levy of Surcharge Stamp duty at 1% on all conveyances

General and Revenue Secretariat.

S.R. File No. 1263/L of 1939. 4c/43 LA pp. F. III-2

Serial No.

Letter No: A1. 348.9 dt 22-8-1939 from Comm Bangalore city Municipality, forwarding a copy of the resolution passed at the meeting of the Municipal Council held on 5.8.1939 in regard to the levy of Surcharge Stamp duty Subd

The resolution relates to the framing of legislation or rules for the levy of Surcharge Stamp duty at 1% on all conveyances of the value Rs 5000 or above in respect of properties situated in the city limits or documents executed & registered in the city - the proceeds there of being credited to the Municipal funds.

2 Under the existing rules, no portion of the Stamp revenue under the head is being credited to Municipal funds; but as per Rule 9 of the Stamp Act the Govt have power to remit or compound duties on any instruments executed by or in favour of any particular class or person;

3 If legislation as recommended by the Council is undertaken & approved, the same concession will have to be shown to other local bodies. Obviously the Council has thought of this source as an additional source of revenue. The existing rules of Stamp duty on Conveyances is are given at page 76 of the Stamp Regulation.

4 If the resolution of the Council is consi-

NOTE-Contn. Sheet.

Levy of surcharge Stamp duty at 1% on Conveyances

File No. 4 of 1939. General and Revenue Secretariat.

Serial No.

desired favourably, further action as regards legislation etc. has to be taken only in the Secretariat for

5 the L.S.G. Dept. may also be consulted as to whether the local bodies in the Madras or Bombay Presidency are in receipt of such duties.

Illegible 15.9. 6 The resolution has, as its aim, the augmentation of the revenues of the Municipality. The payment of a surcharge on conveyance deeds in respect of properties situate within the municipal limits in the shape of stamps & its subsequent credit to the Municipal funds is a new proposal & the stamp Comr. may be consulted if this can be done within the framework of the Stamp Act. The proposal, however, has more properly to be dealt with in the L.S.G. Branch

By 15.9

7) The resolution of the Council is to the effect that the framing of Legislation or Rules for levy of Surcharge Stamp duty at 1% on Conveyances, be expedited.

8) No explanation is offered either in the resolution itself or in the covering letter of the Comm.r regarding the circumstances in which

Serial No.

the levy is recommended & why they expect Govt. to help them in this behalf. It is also not clear whether there are any previous references, & as what is now asked for is to expedite legislation.

9) The proposal virtually means that Govt. should raise a tax – which they alone are competent to raise – and hand over the proceeds to the Municipality. There appears to be no reason why Govt. should undertake this & give an indirect subvention

10) The question is one to be pursued in the L-S.G. Branch in consultation with the Law Dept. [illegible]

18/9

Devs

11) [illegible]

L.S-G Br

20/9.

NOTE Cortn. Sheet

Levy of surcharge on stamp duty

1263 / 3372 L

File No. of 19

General and Revenue Secretariat.

Serial No.

Submd with a draft letter for approval

3/4/40

2 encs.

To the Md Commr, BCity thro DBA

No L 4497 Dd 14-11-39.

Requests him to explain the matter clearly and furnish details of revenue

From the Md Commr, BCity thro DBA

No A1. 348/39 Dd 11-12-39

states that the levy of the duty has been proposed by the MCC, as a source of some additional income to the Mpality. It is stated that the levy of the duty of this kind is obtaining in the C&M Station Bangalore. ~~The~~ The Rules on the subject in the C&M Station is flagged "M" subject for orders.

8/12 The resolution of the Municipality is to the effect that Govt may be pleased to expedite the framing of legislation or rules for the levy of surcharge stamp duty at 1% on all conveyances, the consideration of which is Rs 5000/- or more in respect of properties situated in the city limits or documents executed and registered in the city and the proceeds thereof be credited to MC funds. This suggestion is based on the law in force in

Levy of surcharge stamp duty -

General and Revenue Secretariat. File No. of 1939 [App. F. III-2

Serial No.

the opening C & M. Station (vide Maps M. 0,2 (1)). The proposal is said to have been made with view to get some additional income to the Mlty.

16) It is submitted that this proposal involves an amendment of both the Mys Mlty Act & the Stamp Act. Neither the necessity nor the desirability for such a step is apparent at present. Perhaps, this question may be considered after the retirement of the C & M. station.

17) If necessary, the Stamp Commissioner may be requested to offer his remarks on this proposal, unofficially.

Sd/ 20/12/38

Law. Secy)

20/12

18) A suggestion

Ce 20/12

21/12

19) Forwarded with compliments to the Inspector-General of Registration and Commissioner of Stamps for favour of remarks

By order

Secretary to Govt. in Law, Jails

R.O. No. L. 123
21-12-1938.

Sri Iyer
M/R

NOTE--Contn. Sheet

OFFICE OF THE INSPECTOR GENERAL OF REGISTRATION & Comr. of Stamps IN MYSORE.
RECD ON. 22-12-38
NO. A2. 2414/38-40
ENCLS. R-O. No. 3/38-39

N Dis.

File No. U.O.No 3/39-40. with Enclosures | of 19 | General and Revenue Secretariat.

Serial No.

Returned with compliments.

9) Sanction to the proposal depends entirely upon whether the Government consider that a case has been made out for adding a new tax to the armoury of -- municipal taxation in the Bangalore City. A surcharge on transfer of immoveable property is, however, a recognised form of securing for the community a share in the increment ~~involved~~ involved in the of private immoveable property when such increment accrues on account of the Development or Improvement Schemes executed by the Community or the general services rendered by a Local Authority.

11) Such a tax on transfers exists also in Madras City, and Rangoon City, Vide The Madras City Municipal Act IV of 1919 Sections 98 and 135 to 137 and -- Rangoon Development Trust Act 1920 Section 68.

12) The Mysore City Municipal Act will have to be amended on the lines of the Madras City Municipal - Act, if the Government approve of the proposal.

[signature] 1.6.1940
COMMISSIONER OF STAMPS.

This may be sent to L.S.G. for [illegible] L.S.G. 11/1/40

13) Orders re A are solicited. After a decision is reached thereon, action will have to be taken to amend the Mysore City Municipal Act, 1933

Ans 11/1/40

Levy of surcharge Stamp duty on Conveyance &c. Bkrs

General and Revenue Secretariat. File No. 3372 of 1939 [App. F. III-2] 1263 cis 3373

Serial No.

1) If approved, the Mal Commissioner will be requested to intimate, what additional Revenue it is proposed Surcharge duty is to collect & fetch, so also the annual income under this head in the C&M Station, after ascertaining the same from their office.

2) The proposal could perhaps be Considered, if the increase in Revenue is somewhat fair.

Law Secy) 11/1

to be 11/1

3) Please put up draft accdy 12/1

4) Forwarded with a draft letter for appl 12/1/40 JRA

5) Done 12/1

To The Mal Commnr, Bezwada

No L 6308 Dt 15-1-40

Calls for some information

From The Mal Commnr, Bezwada,

No A1-348/39 Dt 21-3-40.

Furnishes the information called for.

6) The income by this levy realised in the C & M Station municipality is as

[illegible]

SubA 4/2

NOTE—Contn. Sheet

33725 6008/I

File No. of 19 . | General and Revenue Secretariat.

Serial No.

noted below:-

Year	Rs.
1934-35	16,581
1935-36	13,051
1936-37	16,087
1937-38	8,447
1938-39.	9,913.

It is stated that the additional income that would be derived by the city municipality by the levy of this duty is expected to be about Rs 10,000/- annually.

Submitted for orders with reference to paras 24 & 25 ante.

31/3/39

The following is an extract of paras 52 & 53 of the report of the Local Self Govt Committee, Bombay, 1938 on the subject under consideration & is of interest-

Please see next page

Serial No.

9

A TAX ON TRANSFER OF PROPERTIES.

TYPING SECTION 1940 GEN. & REV. SECTT.

33) One of the sources of additional revenues suggeste for local bodies is a tax on the transfer of immovable properties. These transfers are at present subject to taxation in the shape of stamp duties and also registration fees. These imposts, however, do not benefit the local bodies to whom improvements in the values of properties transferred are, in a great measure, due. It is, therefore, but proper that a share of these duties should go to local bodies. It appears that under the Government of India Act of 1935 a tax on the transfer of agricultural lands is included in the provincial list, whereas a tax on transfers of non-agricultural property finds place in the concurrent list. We feel that steps should be taken to add a percentage on the stamp duty for the benefit of local bodies within whose area the properties transferred are situate. We understand that such duties are levied in Calcutta and Rangoon.

34) Another method would be to levy a special fee when transfer documents are presented for registration. It may also be possible rigorously to enforce the registration of transfers in the records of local bodies and to levy fees when documents are presented to local bodies for such transfers. The Registration Department should refuse to register documents in cases where transfers have not been effected in the records of local bodies. The rate may be from ½ per cent. to 1 per cent on the value of the property transferred. Transfers of properties under a certain value should be exempted.

NOTE—Contn. Sheet.

Perhaps the best form that this arrangement may take would be an assignment of 25 per cent. of the stamp duty recovered on transfers of property to local bodies concerned, the duty being raised if required for provincial purposes.

35) If the proposal of the M.C.C. is approved, the Mysore City Municipalities Act 1933 will have to be amended. Other alternatives are also suggested in the above recommendation & they are also for consideration

Ans. M.C.C. (para 36) The Bangalore City Municipal Council propose that a Surcharge Stamp Duty at 1% on all conveyances, the consideration of which is 5000 Rs or more, in respect of properties situated in the city limits, be levied. Such a duty is levied in Madras & Bangalore C & M station. In the city, the additional revenue from this is expected to be about 10,000 annually. To levy this duty, the Mysore City Municipal Act requires to be amended on the lines of the Madras City Municipal Act (vide Secs 135, 136 & 137 of that Act) (put up herewith) as applied by the Commr. of Stamps Paras 20-22

37) The rules in force in the C & M Station for regulating the Collection of this Surcharge duty are found in their notification Flag M. Similar procedure might probably be adopted here also, if the levy of the duty is sanctioned

Levy of duty on transfer immoveable property in Bangalore City

6008 L VI

General and Revenue Secretariat | File No. | of 194 | [App. F. III–2

Serial No.

The realisations under this in the City station for the last 5 years are shown in para 31. The average works out at more than 12000 Rs per annum. Considering this, the amount estimated by the City Mnl Council i.e 10000 Rs per annum may not be very high

38) It is for orders whether the proposal to levy this kind of duty may be sanctioned.

Law Secy) 9.4.40

39) The levy of duty on transfer of immoveable properties within the jurisdiction of all the Municipalities in the State seems very desirable. This need not be restricted to documents of the value of Rs 5,000/- and above as suggested by the Bangalore City Mlty. May be sanctioned

~~The levy of duty on transfers of immoveable properties may be sanctioned.~~

II Member) Hm 13/4

8988

40) Ka 13/4

Hm 15/4

15/4

NOTE—Contn. Sheet.

Question of the levy of surcharge stamp duty on transfer of immovable property in Municipalities

File No. 60:8/I of 1939.

General and Revenue Secretariat.

Serial No.

Subd with a draft Govt. for appl

6/5 (1) This is an important matter relating to the levy & duty and consequent amendment of the Municipalities Act. This may be considered as Council matter.

Dewan)

Hm 7.5.40.

7/5

(2) Mr 8-5-40

Chief Secy) M/C.

Hm 10.5.40.

10/5

Submitted with a Circular Memo D 2. 11.5.42

(4) 15-10-42

In § 67-A the expression 'shall be levied' is to be modified in view of the wording of § 64 & the discussion in the R.A. Amend. Stamp duty Transfer may be defined as Deputy Secy

15-10-42

BKR 16.10.42

DEWAN'S OFFICE RECEIVED 1942 NO 7769

For Disposal by Circulation. No. C. 476

1939-40

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to levy a duty on transfer of immoveable properties within the jurisdiction of all Municipalities in the State.

Circulated to the Members of Council.

By Order,

A. S. Ghanashyam

11th May 1940. *Chief Secretary to Government.*

First Member of Council. Nil 13/5/40

Second Member of Council. (Seen)

For favour of Final Note
Second Member) A.R. 13/5/40

DEWAN'S OFFICE
21 MAY 1940
NO 8158 A165 23.5.40

Signed Final Note placed below.

23/5/40

S. N. put up.

DEWAN)

23/5/40

Final Note by the Second Member of Council.

Subject.— Proposal to levy a duty on transfer of immoveable properties within the jurisdiction of all Municipalities in the State.

At the general meeting of the Bangalore City Municipal Council held on Saturday the 5th August 1939, a resolution requesting " Government to expedite framing of legislation or rules for the levy of surcharge stamp duty at 1 % on all conveyances, the consideration of which is Rs 5,000/- or above in respect of properties situated in the City limits, or documents executed and registered in the City, and the proceeds thereof be included to the Municipal funds" was passed and forwarded to Government for favour of orders. The additional revenue expected from this source is estimated at about Rs 10,000/- per annum.

The Commissioner of Stamps, who was consulted in the matter, is of opinion that a surcharge on transfer of immoveable property is, however, a recognized form of securing for the community a share in the increment in values of private immoveable property when such increment accrues on account of the Development or Improvement Schemes executed by the Community or the general services rendered by a Local Authority.

Such a tax on transfers exists in the Civil and - Military Station, Bangalore, Madras City and Rangoon City.

I am of opinion that the levy of duty on transfer of immoveable properties, within the jurisdiction of all the Municipalities, without restriction on the value involved, is desirable and will, in a small measure, increase the revenues of the - Municipalities.

This proposal, which has been agreed to by the Dewan and the First Member of Council, may be graciously sanctioned.

Action will be taken separately to amend the necessary Acts to give effect to the above proposal.

M. Ananthanarayanan
SECOND MEMBER OF COUNCIL.

Camp Chikmagalur,
21st May 1940.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council on the subject of* the proposal to levy a duty on transfer of immoveable property within the jurisdiction of all Municipalities in the State, *for His Highness' gracious approval.*

Mirza M. Ismail

Dewan.

Camp: Fern Hill,)
24th May 1940.)

Record of Cases submitted for the Orders of
His Highness the Maharaja.

Subject.

Proposal to levy a duty on transfer of immoveable property within the jurisdiction of all Municipalities in the State.

Chief Secy
31-5-40

No 772

Order.

~~KRW~~
27/5/40

31.5.40

General and Revenue
Secretariat.

1263/L e.426

SUBJECT:—

Proposal to levy a duty on transfer of immoveable property within the jurisdiction of all Municipalities in the State.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,
~~Law~~ Department.

11417/1.6.40

FIRST MEMBER OF COUNCIL. 1/6/40

A555/1.6.40

SECOND MEMBER OF COUNCIL.

Law Secy with Compliments

1.6.40.

NOTE.—Contn. sheet

WD 01152—GPB—750—21-12-38

Mr. KHS - attended

1/6/40

4/6/40

levying duty on transfer of immovable properties in villages by Municipalities

6008/I

Serial No.

43) Subd with a statement of the general principles of the Bill for appl.

18/8.

44) This will be sent to the Asst Leg. for Legislation (Mr. G.S. Venkataramana Rao) for further action

Law Leg) for 4/2/42

45) Hm 6.2.42.

Assistant Leg for Legislation) for 6/2/42

Hm 7.2.42

46) Action is required to be taken ~~to order~~ to enable all Municipalities in the State to levy a duty at 1% of their value on transfers of property within their municipal limits. For this purpose amendment of the Municipal Acts is required to be undertaken.

In the City of Madras, such a levy is undertaken by virtue of an express power given to the Council by section 98 of the Madras City Municipal Act, 1919. The duty is levied in the form of a surcharge on the duty imposed by the Stamp Act (Section 135). In the C.& M. Station their municipal law provides for such a levy (section 67 A).

Section 64 (XIII) of the Mysore City Municipalities Act 1933 and section 61 (XIII) of the Mysore Town Municipalities Act runs somewhat as

NOTE—Contn. Sheet.

SECY. LAW DEPT. 1135 5 FEB. 1942 GOVT OF MYSORE

Serial No.

follows:-

Any municipal Council ----------may levy any one of the following taxes:——

× × × ×

"(XIII). Any other tax to the nature and object of which the approval of the Government shall have been obtained-------." // In these ~~sections~~ clauses various taxes have been specified, each unlike the other. For example, rate on buildings, toll on vehicles, terminal tax on goods, octroi on animals, sanitary cess, etc." It would thus appear that the power to levy any other tax given by clause 13 is general and could be availed of to impose the tax at present under consideration.

In regard to Minor Municipalities Act, 1933, there is no provision empowering Government to levy a tax on transfer of property.

If, therefore, the power to levy a tax on all transfers of immovable property has to be given to all Municipalities within the State, an amendment of atleast Minor Municipalities Act would be necessary.

Incidental to these amendments, an amendment of the Stamp-Act, 1900, would also appear to be necessary. Since the levy of tax is in respect of property situated within the limits of the Municipalities, particulars required to be given under section 27 of the Stamp Act will have to be required to be given in respect of property situated within the municipal limits as well as outside it separately. Further, section 64 of the Stamp Act providing for Penalties will have to be extended to cover cases where the Municipal Council is involved in respect of fraud

Serial No.

made punishable by this section.

It is therefore for orders whether a bill to amend the Minor Municipalities Act and the Stamp Act has to be drafted, or whether to secure uniformity all the three Municipal Acts as well as the Stamp Act has to be amended.

Secy (RA & LC) 22.4.42

47) A. I may observe that even in the Minor Municipalities Act, there is an enabling provision (Vide Section 62). I think however that instead of resorting to these enabling provisions, it is desirable that express powers be given to Municipal Councils by suitably amending all the Acts on the lines of Section 98 (h) of the Madras City Municipal Act, 1919.

A/

Regarding the method of assessment of duty on transfers of property, provisions may also be introduced on the lines of Sections 135 to 137 of the Madras Act.

B/

Law Secy BKR 24.4.42 SDS 24.4.42

48) A & B. may be approved.

Minister (L.S.G.) Hm 24.4.42 BKR 24.4.42

SECY. LAW DEPT. 3482 24 APR. 1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 25.4.1942 NOTE—Cover Sheet. No. 665

File No. 6008/1/1084/42 of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No. 665

approved.

49) Secy.
29.6.42

(Where was this paper pending 90 days.)

Hm
2
30-4-42
BKR
1.5.42

50) The file will be sent to the admve Section to take action re the Minister's minute above and to return the file very early for further legislative action.

Secy
1.5.42

Secy
RA&LC)

BKR
1.5.42

Asstt Secy
L S & R for
WC)

51) I take extract of the above minutes minute & pass on.

1/5/42

52) Asstt - Extract taken as directed above.

Secy. R. a & LC
WC) 2/5/42

2/5
2/5
2/5

53) A draft Bill and a Statement of Principles are put up for consideration.

Instruments of transfer of immovable

Municipalities (amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 1084/RL of 194

App. F. III-2

Serial No.

Property situated within a municipality as well as instruments executed and registered within that municipality are made liable to the duty as per orders in the file.

An exemption in favour of Government is also provided for. The admn. section has not obtained orders on this point and this proviso has been inserted subject to orders thereon.

Secy (R&E) 5.5.42

As instructed by the Secretary, three separate Bills amending the three Municipal Acts (instead of the one bill put up) are put up for Consideration.

Secy (R&E) 6.5.42

54) BKR 6.5.42

Law Secy)

55) May be approved.

Minister L.S.G. 7/5/42

56) The Law Secy could please bring up.

10.5.42

SECY. LAW DEPT. 1984 6 MAY 1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 7.5.1942 No. 6962

NOTE—Contn. Sheet.

1084 RL

The Nagpur Municipalities (amendment) Bills

File No. of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Receipt from Law Secy
[illegible] 12.5.42

57) As directed by the Law Secy, the Bills have been amended so as to limit their operation only to transfers of immovable property situated within the limits of the municipality.

[illegible]
12.5.42

Secy
RA Dept)

58) BKR
12.5.42

Law Secy)

59) The amended draft Bill may be approved

Minister
L.S.G.) Hm
12/5/42

BKR
12.5.42

60) [illegible]
16.5.42

Hm
16/5/42

BKR
16.5.42

Law Minister)

61)

Dewan) [illegible]
16/5

62) [illegible]
17/5/42

[illegible]
19-5-42

BKR
19.5.42

63) Bills included in agenda (Supplemental)

[illegible]
21.5.42

DEVELOPMENT [illegible]
9993

SECY. [illegible]
12455
GOVT O[illegible]

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 13 SEP 1942
No. 7122

OFFICE OF THE
MINISTER FOR LAW
MAY 16 19[illegible]
No 11855

Re Municipalities (Second Amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. . of 194 [App. F. III–2

1084/RL

Serial No.

65)

Kind reference is invited to the minutes of the Lais secy. at p— a* 64 of the notes supra

The expression "may be levied" has been substituted for the expression "shall be levied" in section 67-A of the city Municipalities (Second Amendment) Act, in consonance with the wording of 64 of the principal Act. ~~Sotarodda~~ Similar changes have been made in the corresponding sections of the Town and Minor Municipalities (Second Amendment) Bills.

As regards the definition of the term "transfer", it is for orders whether the definition of the expression "transfer of property" used in the Transfer of property Act may be adopted, limiting the scope of its operations to certain kinds of transfers only.

W. submd.
4/11/42

Ref— 11-42

Ref— 64 supra

Ref— para 64 Supra

It is submitted that the expression "shall be levied" in the proposed clause 67-A refers to the mode of levy and not to the levy itself. The levy is optional with a Municipality & which the Govt. may extend the provisions of this

NOTE—Contn. Sheet

measure under Clause 1 (2). But once the Municipality exercises this option then Clause 2 requires that the levy shall be in the form of a surcharge. It is submitted respectfully that this expression ought to remain

In regard to the definition of transfer, reference is invited to the remarks of the L.S.G. Minister in the Assembly that this question should be examined in the Select Committee.

It is respectfully for orders if this matter may be considered later in case the Bill has to be referred to a Select Committee. On the other hand if the Bill is considered too small to require referring to a Select Committee, it is submitted that the operation of the Bill may be limited as in Madras ~~the C.P. Statute~~ to sale gift and mortgage with possession of immovable property. In the C.P. Statute the expression used is Sale, Gift, Mortgage or Otherwise"

After orders are passed the Bill will, if necessary be suitably amended

Mysore City Municipalities (2nd amt) Bill.

General and Revenue Secretariat | File No. 1084/R2 of 194 | [App. F. III—2

Serial No.

Permission is also solicited for publishing the Bill under order of the Dewan under rule 36, the St. of Principle being adopted on the St. of Objects and Reasons.

Secy
5.11.42

Secy
RA & Le)

BVR
5.11.42

Law Secy)

please amend Conferring the
operation to Sale, Gift & Mortgage

Ces
5-11-42

BVR
6.11.42

The Bill is amended as directed above. Clause 2 has been amended to refer to certain transfers. The new Section 67-A has been revised on the lines of the Madras Act limiting the levy of duty to Sale, Gift and Mortgage with possession. The Calculation of the duty, as in Madras, is to be on the amount of the Consideration, the Value of the Property or the amount secured by the Mortgage.

After approval the Bill will be published. Maybe the Bill to be introduced in the Leg Law to be Certified that the Usual Principles which were approved by the R.A., the may

NOTE—Contn. Sheet.

LEGL. LAW DEPT. 1820 GOVT OF MYSORE

1084/M.

File No. of 194

General and Revenue Secretariat

Serial No.

be no objection in the case to the amendment as it is as a result of the passing of the R.A. (generally) that the scope of the Bill should be limited.

An additional sentence has perhaps been suggested for incorporation in the St. of Objects and Reasons.

Secy (RA-2e) 6.11.42

BNR 6.11.42

Law Secy)

The amendment is made following the wording of the Madras Act for approval

6.11.42

Minister-2-6-42

The Law Secy will please bring up today.

15.11.42

All mortgages may be included.

16.11.42

Amended accordingly & annexed at (b) of S.64.

16.11.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 10.11.42
No. 3647

General and Revenue Secretariat
A. & L. C.

File No. of 194 [App. F. III–2

Serial No.

The Bills have been re-drafted on the lines indicated in the Minister's minute above, limiting the scope of the Bill to gift, sale or mortgage. Opportunity has also been taken to make a small incidental amendment to clause (b) of Section 64.

The Bills will be published, if approved, under the orders of the Dewan under Rule 86.

18.11.42

Secy (A & L)

18.11.42

Law Secy)

May be published

Dewan

18.11.42

8.11.42

18.11.42

Draft notifications are submitted for approval

Issue & put up again

18.11.42

18/11/42

To,

The compiler Mysore Gazette

Attached No RL 602 – Legis 36-42-1 dated 18-11-42

No RL 604 – Legis 37-42-1 dated "

No RL 606 – Legis 38-42-1 dated "

Directs the publication by Notification in the Gazette under Rule 367 the Legislative

NOTE—Contn. Sheet

Municipalities (Second Amendment) Bill.

File No. of 194

General and Revenue Secretariat R. A. & L.

Serial No.

-Nine Rules

The following motions are suggested for the Legislative Council in the name of the Minister for Local Self-Government:-

1. *To introduce the Bills;*

2. *To move that the Bills be taken into consideration by the Council at once;*

3. *To move that the Bills be passed.*

There appears to be no need for scrutiny by the Select Committee once the principle of the levy is accepted by the House.

Sec) 18-11-42

Sec) 18-11-42

BXR 18/11/42

Law Secy)

Mun Sec L.S.G

Chs 18-11-42

H.G. 18.11.42

Chs 18-11-42

BXR 18.11.42

Sec) 18/11/42

The Municipalities (Second Amendment) Bills

General and Revenue Secretariat R. A. & L. C. | File No. of 194 | [App. F. III–2

Serial No.

Subj

The Mysore city Municipalities (Second Amendment) Bill and the Town Municipalities (Second Amendment) Bill were introduced in the Legislative council on the 10th December 1942, and as the general sense of the House was to refer them to Select committees, motions were moved to refer them to Select committees and adopted

1 The city Municipalities (Second Amendment Bill :—

The Select committee to consider the above Bill consisting of the following members :—

(1) Mr. H. B. Gundappa Gowda (Chairman)
" C. Narayanaswamy Naidu
" Khan Bahadur Mahomed Abbas Khan
" T. Madiah Gowda
" L. S. Raju
" H. Venkataramaiah
" B. S. puttaswamy
" C. Lakshmana Gowda

(2) The Mysore Town Municipalities (Second Amendment) Bill :—

The following constitute the mem

NOTE—Contn. Sheet

The Municipalities (Second Amendment) Bill

File No. 10841RL of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

of the Select committee to consider the above Bill :-

Mr. H.D. Gundappa Gowda (Chairman)
Khan Bahadur Mahomed Abbas Khan.
Mr. C. Narayanaswamy Naidu
" T. Madiah Gowda
" L.S. Raju
" H. Venkataramiah
" D.S. pattaswamy
" C. Lakshmana Gowda.

It is for orders the fixing the dates of the meetings of the Select committee. Further action will be taken afterwards for sending notices to the members of the committee.

DN. 8-1-43 RDN 8.1.43.

Please put up separately a complete list of the several Select Committees with the Names of the members thereof (typed) and solicit orders as to the Dates on which the several Committees may meet. It will help in deciding the Dates if the same file gives a list of all Select Committees. A new file may be opened for the purpose and orders extracted into the concerned files thereafter.

9.1.43

Mr. D.V.

The city and Town Municipalities (Second Amendment) Bills

General and Revenue Secretariat
R. A. & L. C.

File No. 1084/M. of 194 [App. F. III–2

Serial No.

Supi

.... Orders have been obtained in a separate file for holding the meetings of the Select committees in respect of (1) The Mysore city Municipalities (Second Amendment) Bill and (2) The Mysore Town Municipalities (Second Amendment) Bill on the 16th inst.

Since both the committees consist of the same members, it is for orders whether the meetings of both of them may be held at 1 p.m. on that day. A draft O.M. to the members is put up for approval.

DV
5-3-43

5.3.43

Secy
(RA-Le)

For orders if the meeting may be held at 1 p.m. on the 16th inst

BDR
5-3-43

(L.S.G. Minister)

2nd of April at 2 p.m. may be fixed

Sec'y
7.3.43

BDR
9.3.43

As ordered above, a draft O.M. intimating

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 5.3.43
No. 7217

Mr D.V.

NOTE—Contn. Sheet

The Mysore City and Town Municipalities (Second Amendment) Bills

File No. 604 R2 / 1084 / R L of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

The revised date to the members for Select committees is put up for approval

24.
23-3-43
Bang
23-3-43

Done
BKR
23-3-43

Issued Bo 4971-77 L.C. dated 24-3-43 intimating that Friday the 2nd April 1943 has been fixed for holding the meeting of the Select Committee

The file is submitted for perusal and reference is invited to paras 4 and 5 of the linked file. Orders have been passed to consider the reference made therein at the meeting of the Select committee.

11
30-3-43
Bang.

File is submitted for perusal. The Select Committee Meeting is fixed for 2 P.M. on Friday, the 2nd inst.

BKR
30-3-43

L.S.G. (Minister)

4c.
31.3.43

BKR
31.3.43

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 30-3-43
No. 8731

Municipalities Bill (re Rds on Mines for quarrying purposes)

Continuation Sheet. File No. / Current No. 604/N of Page.

The following Motions are suggested for inclusion in the Agenda for Tue

1. Minister L.S.G. to present the report of the Select Committee on the Mapumulo (2nd amendment) Bill

2. Minister L.S.G. to move that the Bill as reported by the Select Committee be taken into Consideration.

Minister L.S.G. to move that the Bill be passed.

Similar Motions will be required for the Town Municipalities (amendment) Bill also.

Secy (A-L) 5.6.43

BXR 5.6.43

Land Secy) Cur 3.6.43

Minister L.S.G. BXR 5.6.43

Jts 7.6.43

BXR 7.6.43

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 25.6.43 No. 604.79

OFFICE OF THE SECRETARY 25 JUNE 1943 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

OFFICE OF THE SECRETARY Received back from the Minister's office 3 JULY 1943 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Mand N.

Sund.

The Bills were introduced in the Legislative council at its recent Budget Session and were passed by the House on 1st July 1943.

Copies of the Bills as passed in the council, and signed by the president, Legislative council, are put up herewith

The Mysore City and Town Municipalities (Second Amendment) Bills

Continuation Sheet. File No. 604/M. Current No. of Page.

A S.F.N is put up for approval.

W
15/7/43
BVN
15/7.

Secy
RA & Le
15.7.43

BVR
15.7.43

Law Secy
Submitted

15-7-43

Member S.G

BVR
15.7.43

15.7

18.7.43

Two Copies of Signed S.F.N. put up
for
22/7/43

SECY. LAW DEPT.
GOVT OF MYSORE

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 17.7.43
No. 538

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH

Subject:— Promulgation of the Municipalities (Amendment) Bills.

------ : O : ------

On the 27th of May 1940, His Highness was graciously pleased to approve of the proposal to amend the Mysore City, Town and Minor Municipalities Acts in order to provide for a levy of surcharge duty on all transfers of immoveable property situated within the jurisdiction of the municipalities concerned. Three amending Bills were accordingly drafted and placed before the Representative Assembly in October last year, and were approved by that House. The Bills were introduced in the Legislative Council in December 1942 and at the suggestion of some members, the City Municipalities and the Town Municipalities Amendment Bills were referred to Select Committees. The Bill to amend Minor Municipalities Act was withdrawn as the sense of the Council was that the amendment would not bring much income to the Minor Municipalities.

The Bills to amend the City and Town Municipalities Acts as reported by the Select Committees were taken into consideration by the Council during its recent session and passed by that House.

Copies of the Bills as finally passed in the Council and signed by the President under Standing Order 44 of the Mysore Legislativ Council Standing Orders are submitted herewith.

I solicit the gracious sanction of His Highness to promulgate the two Bills into law.

M. B. Gundappa Gowda

M I N I S T E R,
Local Self-Government & Public Health.

Camp Mysore,
21st July 1943.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the promulgation into law of the Municipalities (Amendment) Bills for His Highness's gracious sanction.

N. M. Dewan

DEWAN.

Camp Mysore,

22nd July 1943.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Municipalities (Amendment) Bills.

No. 75

Order.

JRN
27/7/'43.

Chief Sec
Hon
30/7

HH 30/7/43

General and Revenue

Secretariat.

C/23.

SUBJECT:—

Promulgation into law of the Municipalities (Amendment) Bills.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Chief Secretary to Government.
30/7/43

Through the Secretary to Government,

Law .....Department.

30-7-43

643/2/8 Minister for Revenue and Law. 3/8

725/3/8 Minister for Public Works. 3.8

862/30/7 Minister for Local Self-Govt. and Public Health. 30.7.43.

534/31.7.43 Minister for Industries and ~~Commerce~~ Supplies. 1.

616/2/8 Minister for Education. Law Secy

NOTE.—Contn. sheet

WD 02718—GPB—500—21-4-43

3/8/43

The Mysore city and Town Municipalities (Second Amendment) Acts 1943

Continuation Sheet. File No. / Current No. 5 & V 6041 RL of Page.

The gracious assent of His Highness the Maharaja was accorded on the 27th July 1943 to promulgate the Mysore city and Town Municipalities (Second Amendment) Bills into law.

A Draft G.O. directing the publication of the Acts as Acts Nos XXXII and XXXIII of 1943 respectively are submitted for approval

2N 5/8/43 BVN 5/8

(Secy Rev & R.A. Dept) 5.8.43

BKR 5-8-43

Law Secy)

Cus 6-8-43 Issue 6.8.43

To The compiler Mysore Gazette

No RL 170 Legis 10-43-1 dated 12th Aug 1943

No RL 171 Legis 10-43-2 dated 12th Aug 1943

Directs the publication of the Acts in the Gazette

The Acts have been published in part IV of the Mysore Gazette dated 19th Aug 1943.

The file is herewith sent to L.S.G Branch for information and for returning the file to this office when done with

2N 28/8/'43 BVN 28/8

L.S.G. Branch)

Noted & returned

Legis Section 28/8/43

A spare copy of the Act is put up herewith.

SECY. LAW DEPT. 1310 Govt of Mysore

OFFICE OF THE SECRETARY Rev 1943 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Filed.

This is a matter to be dealt with in the Financial Branch of Apps, this will be transferred to that Br for necessary action

26/8/39

26/8/39

Financial Branch

Subd: The Resolution refers to the framing of legislation & Rules for the levy of surcharge stamp duty at 1% on all conveyances &c: and that question has many times to be dealt with in the Pars: Br: If approved this will be transferred to that Br

May be recorded up in Stamps Secn. in the usual way CPB/9

5.9.

S 11-39-1 1263
L

BANGALORE CITY MUNICIPALITY.

No. A1. 348/39. MUNICIPAL OFFICES,

Encl. Bangalore, 22nd August 1939.

SECY. LAW DEPTT. 24 AUG. 1939

GEN. & REV. SECRETARIAT 779 26 AUG. 1939 FINANCIAL BRANCH.

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To

C. Subrahmanya Aiy..., ...,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore

SIR,

I have the honour to forward herewith for favour of orders of Government, a copy of the resolution of this Municipal Council dated 5th August 1939 regarding the levy of surcharge stamp duty.

I have the honour to be,

Sir,

Your most obedient servant,

Forwarded with compliments,

23/8

Honorary President.

23/8

Municipal Commissioner.

Kas.22/8.

No. 3/39-40.

PROCEEDINGS of the General Meeting of the City Municipal Council, held on Saturday the 5th August 1939 at 12 Noon in the Council Chambers of the City Municipal Offices, Bangalore.

—

Present

N. Balakrishnaiya, Esq., B.A., LL.B.,
Honerary President.

Messrs.

1. R. Venkataswamy
2. T.L. Gangoji Rao
3. D. Rameswara Sa
4. K.M. Naganna
5. B.S. Shankarappa Setty
6. I.K. Purushothama Naidu
7. D. Venkataramanappa
8. B.L. Byanna
9. M. Muniswami
10. K. Gubbaiya, B.A., LL.B.
11. P.M. Rama Sarma
12. M. Krishnaswami Pillai
13. B. M. Madhava Rao, L.M.S.
14 M.R. Narasimha Iyengar
15. S.L. Mannaji Rao
16. Mirza Azizulla Baig
17. V. Chikkayellappa
18. Sri R. Kalyanamma.

Absent.

Messrs.

1. Mr. Balur Srinivasiengar, B.A., B
2. S.N.M. R a z v i.
3. C.M. Garudachar, B.A.,
4. P. Subbarama Chetty
5. B.R. Kavetirangappa
6. Tubagere Nanjappa
7. S. Krishnappa, B.A.,
8. O.S. Nasarulla Sheriff, M.A., LL.B.,
9. B. Abdur Rahmon, B.A.,
10. M. Royan M.D.
11. One Seat vacant.

Addl. Subject No. 1.

Mr K.M. Naganna to move :—

(a) This Council resolves to request Government to expedite framing of Legislation or Rules for the levy of surcharge stamp duty at 1% on all conveyances, the consideration of which is -- Rs. 5,000/- or abovex in respect of properties situated in the City limits or documents executed and registered in the City -- and the proceeds thereof be included to the Municipal funds.

Mr. K.M. Naganna moved and Mr. M.R. Narasimha Iyengar seconded.

RESOLUTION:- A p p r o v e d.

SD: N. BALAKRISHNAIYA,
Honorary President.

"C o p y"

S. Nagaraja Rao
Municipal Commissioner.
23/8

Kas/

Addl. Subject No. 1

(a) This Council resolves to request Government to expedite framing of Legislation or rules for the levy of surcharge stamp duty at 1% on all conveyances, the consideration of which is Rs. 5,000/- or above in respect of properties situated in the city limits or documents executed and registered in the City -- and the proceeds thereof be included in the municipal funds.

Mr. K.M. Nagarna moved and Mr. M.H. Narasimha Iyengar seconded.

RESOLUTION:- A p p r o v e d.

SD: N. BALAKRISHNAIYA,
Honorary President.

"C o p y"

Municipal Commissioner.

Rs

BANGALORE CITY MUNICIPALITY.

No. A1-348-39.

Encl.

MUNICIPAL OFFICES,

Bangalore, 6th November *1939.*

LEGY. LAW DEPT. 1939 GOVT OF MYSORE

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To

C. SUBRAHMANYA AIYAR, ESQ, B.A., B.L.
Secretary to the Government of
His Highness the Maharaja of
Law Department, Bangalore.

SIR,

In continuation of my letter No.A1-348-39 dated 24-8-1939, regarding the levy of Surcharge stamp duty, I have the honor to request that the orders of Government in the matter may be kindly obtained early.

I have the honor to be,

S i r,

Your most obedient servant,

S. Narayana Rao

MUNICIPAL COMMISSIONER.

Forwarded with compliments:--

HONORARY PRESIDENT.

SKG.

Calling for further info.

The Brief memo has been written to in the matter & the letter is under issue. If agreed, this will be placed in that file

8/11

8/11

Appendix F G—1]

SUBJECT... .....

.....

.....

Section ml

File No.

Serial No.

No. L 4497

Diary No. of letter replied to.. .....

To. The Rd Commr, Bcig/1.
thro the PDs

General and Revenue Secretariat

( )

the *193* .

Sir,

with reference to your letter No A1. 348/39 Dy 22-8-39 re the levy of Surcharge Stamp duty, I am directed to observe that the resolution of the Ind Ch. is to the effect that the framing of Legislation or rules for the levy of Surcharge stamp duty at one per cent on conveyances be expedited & that no explanation is offered either in the resolution itself or the covering letter, regarding the circumstances in which the levy is recommended and why they expect Govt to help them in this behalf.

Date of issue ..... 14 — 11 — 39 .....

Signed by..... Wr m. S. 14 .....

List of enclosures.... ....

Copied by... .. ..

Examined by.....

It is also not clear whether

~~the~~ any previous references who made to Govt on the subject
& as what ~~is now asked for~~ in the Memo want the Govt to take now
~~is to expedite legislation~~

I am to add that the proposal
so virtually means that
Govt should raise a tax - which
they alone are competent to raise -
& hand over the proceeds to the Mdlg -

In the circumstances ~~stated~~ I am to request you
~~above Govt consider that~~ to explain the
matter clearly and
~~there bears to be no reason~~ to furnish information as
~~why Govt should undertake~~ to whether such
~~such a legislation~~ a levy is in force
~~and give an indirect~~ in any of the
~~subvention to the Mdlg~~ British Indian Mdlg

I have etc.

2/6/11

for Secy to Govt
Law Deptt

4/11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. *Dated, Bangalore,* 9th November 1939.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Municipal Commissioner,
Bangalore City,

Through the President.

Sir,

With reference to your letter No.Al. 348/39 dated 22nd August 1939 re: the levy of surcharge stamp duty, I am directed to observe that the resolution of the Municipal Council is to the effect that the framing of Legislation or rules for the levy of surcharge stamp duty at one per cent on conveyances be expedited and that no explanation is offered either in the resolution itself or the covering letter regarding the circumstances in which the levy is recommended and why the Municipal Council expect Government to help them in this behalf. It is also not clear whether any previous references were made to Government on the subject and what action the Municipal Council want the Government to take now.

In the circumstances, I am to request you to explain the matter clearly and also furnish information as to whether such a levy is in force in any of the British Indian Municipalities.

I have the honour to be,

Sir,

Your most obedient servant,

(Draft) Secretary to Government,
Law Department.

BANGALORE CITY MUNICIPALITY.

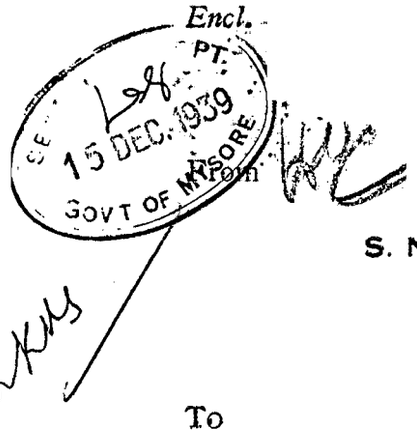
3372
L.

No. A1- 348-39 Enc. three.

MUNICIPAL OFFICES,

Encl.

Bangalore, 11-12- *1939.*



S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To

C. Subrahmanya Aiyar, Esq., B.A.,B.L.,

Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

SIR,

Re: the levy of Surcharge Stamp duty.

With reference to your letter No. L. 4497 dated 9/11-11-39, on the above subject, I have the honour to state that the levy of this duty has been proposed by the Council as a source of some additional income to the Municipality. Such a duty is being levied in the Municipality, C & M Station, Bangalore. A copy of the rules in this behalf in force in that Municipality is herewith forwarded for reference.

It may further be stated that no reference in the matter was previously made to Government. The Government may be kindly moved to frame rules similar to those in force in the C & M Station, Municipality.

I have the honour to be,

Sir,

Your most obedient servant,

S. Narayana Rao

Municipal Commissioner.

Forwarded with compliments.

norary President.

PSK

Bye-law

APPENDIX NO. 56.

The Hon'ble the Resident in Mysore.

NOTIFICATION.

NO.66 Dated Bangalore, the 30th November 1921.

In exercise of the powers conferred on him by section 175,(1)(s) of the Bangalore Municipal Law, 1897, the Hon'ble the Resident is pleased to make the following rules for regulating the collection of the transfer duty to be levied under section 67-A of the said Law as amended.

The rules shall come into force on the 1st December 1921.

RULES

1. The transfer duty imposed by section 67-A of the Bangalore Municipal Law, 1897, as amended by the Government of India, Foreign and Political Department, in Notification No. 2262-I B. dated the 2nd August 1921, on all instruments of transfer of immovable property situated within the limits of the Civil and Military Station of Bangalore by sale, gift, mortgage or otherwise which may be executed after the introduction of the above duty shall be paid and recovered in the same way and under the same procedure as the ordinary duty imposed on such instruments by the Indian Stamp Act, 1899, as applied to the Station.

2. (1) Whenever any instrument referred to in rule 1 is presented to any registering officer in the Civil and Military Station of Bangalore, he must see whether the particulars referred to in section 20 of the Indian Stamp Act, 1899, are set forth separately in the instrument in respct of property situated within and without the limits of the Station as required by Setction 67-B (a) of the B.M.L 1897, as amended.

(2) If the said particulars be not so separately set forth in any such instrument the said officer must impound it and forward it to the Collector, calling his attention to section 64 of the Indian Stamp Act, 1899 as extended by the section 67-B (b) of the said Bangalore Municipal Law.

(3) (1) Every registering officer in the Civil and Military

in the Civil and Military Station of Bangalore who registers any instrument referred to in rule 1 shall keep an account of the duty paid in respect of each such instrument, showing separately the duty imposed by the Indian Stamp Act, 1899, and the transfer duty imposed by B.M.L 1897, as amended.

(2) The said accounts shall be consolidated quarterly under the orders of the Inspector General of Registration, and each quarterly consolidated account shall be sent by him to the Accountant-General, Madras, within two months after the colse of the quarter.

(4) If in any case it be impossible to recover the full duty payable on any instrument referred to in rule 1, then only such portion of the duty realised on such instrument as is in excess of the duty imposed by the Indian Stamp Act, 1899, ~~xxxx~~ shall be treated in the said accounts as duty imposed by section 67-A of the B.M.L, 1897, as amended.

(5) The Accountant General, Madras, shall within three months after the close of each quarter pay to the Municipal Commission, Civil and Military Station, Bangalore, through the Officer in charge of the Hon'ble the Resident's Treasury , Bangalore, so much of the duty shown in the said consolidated account as represents the transfer duty impose by section 67-A of B.M.L, 1897, as amended.

(6) The Resident is pleased to direct that a commission of one per cent shall be paid to Government for the collection of transfer duty

Copy S Narayana 12/12

M$ Municipal Commissioner

Sections 67-a and 67b, Bangalore Municipal Law.

Duty on Transfer of Immovable Property.

67a. A duty on transfer of property shall be levied in the form of a surcharge on the duty imposed by the Indian Stamp Act, 1899 as applied to the ~~xxxxxx~~ station on all instruments of transfer of immovable property situated within the limits of the Station, by sale gift, mortagage or otherwise, which may be executed after the introduction of the above duty at a rate not exceeding 2 per centum on the amount of the consideration, the value of the property or the amount ~~xxxxx~~ secured by the instrument as set forth therein, as the case may be, and shall be recovered from the transferors of immovable property of a value exceeding Rs. 5,000/-.

Method of assessment

67b. On the introduction of the duty on transfers (a) Section 27 of the Indian Stamp Act, 1899, as applied to the Station, shall be read as if it specifically required the particulars to be set forth separately in respect of propety situated within and without the limits of the Station in the instruments of transfer of immovable property.

Provisions applicable on introduction of transfer duty

(b) Section 64 of the Indian Stamp Act, 1899, as applied to the Station shall be read as if it referred to the Commission as well as to the Government.

"Copy"

S. Narayanan

Municipal Commissioner.

12/11

APPENDIX NO. 57.

Civil and Military Station, Bangalore.

Municipal Office.

No. T. 892 dated the 23rd August 1923.

- - - - - - - -

NOTICE

The Hon'ble the Resident having confirmed the Commission's Resolution No. 54 dated the 12th July 1923 , directing that under Section 67-A of the Bangalore Municipal Law, 1897, the duty on Transfer of Property shall be levied at the rate of one per cent provided that, in no case, shall the duty charged exceed the amount of duty leviable for any instrument under the Indian Stamp Act, 1899, it is hereby notified under the provisions of Section 44 (8) Bangalore Municipal Law, 1897, that the said one per cent tax will take effect from the 12th October 1923. The tax will continue to be levied at 2% as at present, up to 12th October 1923.

T.Austin.
President, Municipal Commission.

- - - - - - - -

BANGALORE MUNICIPAL LAW.

SECTION.41(B) (a).

a duty on certain transfer of property in the shape of an additional stamp duty(b) any other tax.

Copy

S. Narayan
Municipal Commissioner. 12/11

MS)

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue.....15.....1.....40...

Signed by.....M.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. L 6300

To

The Mc Commr, Bombay,
thro the DOs

Sir,

With reference to the correspondence ending with your letter No A1. 348-39 dy 11-12. 39 re: the levy of surcharge stamp duty, I am directed to request you to be so good as to state what additional revenue this proposed surcharge duty is expected to fetch annually.

I am also to request ~~your~~ information may also be kindly obtained to ~~be obtained~~ forwarded from the C & M Station Mc

Commission as to ~~what~~ the annual
income they are getting under this head to drop the last
three years & further to fall.
Share etc

Yours very truly
C. Lawrence
Chairman

6008
L

BANGALORE CITY MUNICIPALITY.

No. A1-348-39.

Encl.

MUNICIPAL OFFICES,

Bangalore, 21st March 1940.

SECY. LAW
27 MAR 1940
GOVT OF MYSORE

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To

H.V.Narayana Rao, Esq., B.A., LL.B.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

SIR,

Re: the levy of surcharge stamp duty

With reference to your letter No.L.6308 dated 13/15-1-1940 on the above subject, I have the honour to append in the margin, the details of the realisations under surcharge stamp duty during the past five years in the C & M Station Municipality, as intimated by the President of that Municipality in his letter No.453/40 dated 3-2-1940. The additional income that would be derived by the Municipality by levying this duty in the Bangalore City is expected to be about Rs.10,000/- annually.

Year.	Rs.
1934-35	16581/-
1935-36	13051/-
1936-37	16087/-
1937-38	8447/-
1938-39	9913/-

I have the honour to be,
Sir,
Your most obedient servant,

S. Narayana Rao
Municipal Commissioner.

Forwarded with compliments.

H. Shiv Rayan 24/3
Hon. President.

MRN:

3053

BANGALORE CITY MUNICIPALITY.

No. A.1.348-39. MUNICIPAL OFFICES,

Encl. *Bangalore* 11th December 1940.

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To

H. V. Narayana Rao, Esqr., B.A., LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE.

SIR,

In continuation of my letter No.A.1.348-39 dated 27th March 1940, regarding the levy of surcharge Stamp Duty, I have the honour to request the favour of early orders of Government in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

S. Narayana Rao

Municipal Commissioner.

aar/-

THE MYSORE MUNICIPALITIES (amendment) BILL

Whereas it is expedient further to amend the Mysore City Municipalities Act, 1933, the Mysore Town Municipalities Act, 1933, and (to amend) the Mysore Minor Municipalities Act, 1933, for the purposes of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:-

1 (1). This Act may be called the Mysore Municipalities (amendment) Act, 194...

(2) This section shall come into force at once and the Government may by Notification in the Official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2 (1). In section 64 of the Mysore City Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely--

> *"(13) A duty on transfers of immovable property in the shape of an additional stamp duty;"*

(2). After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely--

> *"67A (1). The duty on transfers of immovable property shall be levied in the form of a sur-charge on the duty imposed by the Mysore Stamp Act, 1900, on ~~the~~ instruments of transfer of immovable property situated within the limits of the Municipality ~~or the~~ ~~instruments~~ executed and registered within the limits of the Municipality, at a rate not exceeding one*

of transfer of immovable property

percentum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty--

(a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality;

(b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof;

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

3.(1). In section 61 of the Mysore Town Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely--

"(13) (1). A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2). After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely--

"64A. (1). The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality and on instruments executed and registered within the limits of the Municipality at a rate not exceeding one percentum on the value of the property as set forth in the instrument.

(2). On the introduction of the transfer duty--

(a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to set forth separately in respect of property situated within and without the Municipality;

(b)

(b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof;

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

4 (1). In sub-section (1) of section 61 of the Mysore Minor Municipalities Act, 1933, clause (i) shall be renumbered as clause (k) and before the clause as so renumbered the following clause shall be inserted, namely--

"(i) With the sanction of the Government, a duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 62 of the Mysore Minor Municipalities Act, 1933, the following section shall be inserted, namely--

"63A (1). The duty on transfers of immovable property shall be levied in the form of a sur charge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of the Municipality and on instruments executed and registered within the limits of the Municipality at a rate not exceeding one percentum on the value of the property as set forth in the instrument.

(2). On the introduction of the transfer duty--

(a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality;

(b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3). The Government may make rules for regulating the collection of the duty, the payment

thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof;

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

HKR.

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9. THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

A surcharge on transfers of immovable property is a recognised form of securing for the community a share in the increment in values of private immovable property when such increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by a local authority.

Such a tax on transfers of property exists in Madras City, Rangoon City and in the Civil and Military Station, Bangalore. By a resolution passed in August 1939, the Bangalore City Municipal Council have requested Government to frame legislation for the levy of such a duty in respect of certain conveyances within the city and to make over the additional revenue from this source to the Municipal Council. This additional revenue is estimated to be in the neighbourhood of Rs. 10,000 per annum.

There is at present no provision in any of the Municipal Acts in force in Mysore, empowering the levy of such a duty. Government consider it desirable to provide for the imposition of such a duty, as it will result in a small measure in an increase in the revenues of Municipalities in the State. With this object, this Bill has been brought forward.

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely :—

"(13) A duty on transfers of immovable property in the shape of an additional stamp duty ;"

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :—

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

10. THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, Rangoon City and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property, when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present Bill is intended to secure for the Town Municipal Councils a similar power.

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

11. THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, Rangoon City and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present amendment seeks to bring the Mysore Minor Municipalities Act in a line with the Mysore City Municipalities Act and the Mysore Town Municipalities Act, which is also proposed to be amended similarly.

THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore Minor Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Minor Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In sub-section (1) of section 61 of the Mysore Minor Municipalities Act, 1933, clause (i) shall be renumbered as clause (j) and before the clause as so renumbered, the following clause shall be inserted, namely—

"(i) With the sanction of the Government a duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 62 of the Mysore Minor Municipalities Act, 1933, the following section shall be inserted, namely—

"62-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

5. THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

A surcharge on transfers of immovable property is a recognised form of securing for the community a share in the increment in values of private immovable property when such increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by a local authority.

Such a tax on transfers of property exists in Madras City, Rangoon City and in the Civil and Military Station, Bangalore. By a resolution passed in August 1939, the Bangalore City Municipal Council have requested Government to frame legislation for the levy of such a duty in respect of certain conveyances within the city and to make over the additional revenue from this source to the Municipal Council. This additional revenue is estimated to be in the neighbourhood of Rs. 10,000 per annum.

There is at present no provision in any of the Municipal Acts in force in Mysore, empowering the levy of such a duty. Government consider it desirable to provide for the imposition of such a duty, as it will result in a small measure in an increase in the revenues of Municipalities in the State. With this object, this Bill has been brought forward.

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely :—

"(13) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :—

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on

the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

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6. THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, Rangoon City and the C. & M. Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property, when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present Bill is intended to secure for the Town Municipal Councils a similar power.

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1938, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may, by notification in the official

Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty ; "

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

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7. THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Principles.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, Rangoon City and the C. & M. Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present amendment seeks to bring the Mysore Minor Municipalities Act in a line with the Mysore City Municipalities Act and the Mysore Town

Municipalities Act, which is also proposed to be amended similarly.

THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore Minor Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property ;

is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Minor Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In sub-section (1) of section 61 of the Mysore Minor Municipalities Act, 1933, clause (i) shall be re-numbered as clause (j) and before the clause as so re-numbered, the following clause shall be inserted, namely—

"(i) With the sanction of the Government a duty on transfers of immovable property in the shape of an additional stamp duty ;"

(2) After section 62 of the Mysore Minor Municipalities Act, 1933, the following section shall be inserted, namely—

"62-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

THE MYSORE MINOR MUNICIPALITIES (FIRST AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore Minor Municipalities Act, 1933;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Minor Municipalities (First Amendment) Act, 194

(2) It shall come into force at once.

2. After sub-clause (iii) of clause (*a*) of sub-section (1) (A) of section 9 of the Mysore Minor Municipalities Act, 1933, the following clause shall be inserted, namely :—

"(iv) if having been a legal practitioner he has been dismissed or is under suspension by order of a competent Court, the disqualification in the latter case being operative during the period of such suspension or the term of the Municipal Council, whichever is longer, or".

9. THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of objects and Reasons

~~Statement of Principles~~.

A surcharge on transfers of immovable property is a recognised form of securing for the community a share in the increment in values of private immovable property when such increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by a local authority.

Such a tax on transfers of property exists in Madras City, ~~Rangoon City~~ and in the Civil and Military Station, Bangalore. By a resolution passed in August 1939, the Bangalore City Municipal Council have requested Government to frame legislation for the levy of such a duty in respect of certain conveyances within the city and to make over the additional revenue from this source to the Municipal Council. This additional revenue is estimated to be in the neighbourhood of Rs. 10,000 per annum.

There is at present no provision in any of the Municipal Acts in force in Mysore, empowering the levy of such a duty. Government consider it desirable to provide for the imposition of such a duty, as it will result in a small measure in an increase in the revenues of Municipalities in the State. With this object, this Bill has been brought forward.

The scope of this levy is limited to sale, gift and mortgage ~~of possession~~ equally to the wishes of a large no. of members of the Assembly to whom ~~which~~ expression ~~was~~ was given when ~~principles~~ of the Bill was placed before that Chamber in october 1942.

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1935, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely :—

"(13) A duty on transfers of immovable property in the shape of an additional stamp duty ;"

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :—

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

10. THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of objects and Reasons

~~Statement of Principles.~~

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, ~~Rangoon City~~ and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property, when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present Bill is intended to secure for the Town Municipal Councils a similar power.

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THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

Short title and commencement

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of Section 61, Act VIII of 1933

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933, clause (13) shall be renumbered as clause (14) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

Addition of a new Section ~~64~~ 64-A to Act VIII of 1933

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

11. THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of objects and Reasons.

~~Statement of Principles.~~

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, ~~Rangoon City~~ and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present amendment seeks to bring the Mysore Minor Municipalities Act in a line with the Mysore City Municipalities Act and the Mysore Town Municipalities Act, which is also proposed to be amended similarly.

THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore Minor Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Minor Municipalities (Second Amendment) Act, 194

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

short title and commencement

2. (1) In sub-section (1) of section 61 of the Mysore Minor Municipalities Act, 1933, clause (i) shall be renumbered as clause (j) and before the clause as so renumbered, the following clause shall be inserted, namely—

Amendment of Section 61, Act IX of 1933

"(i) With the sanction of the Government a duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 62 of the Mysore Minor Municipalities Act, 1933, the following section shall be inserted, namely—

"62-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of transfer of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on the value of the property as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

Hard copy.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ..R4.60..Legis 36-42-1 General & Revenue Secretariat,
Dated, Bangalore, 19th November October 1942.

: ENACTMENT :

: NOTIFICATION :

Under the provisions of Rule 30 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore City Municipalities (Second Amendment) Bill together with the Statement of Objects & Reasons.

By Order,

BKR

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and for the supply of 350 copies to the Secretariat.

Copy forwarded to the Translation Section.

Memo No R4.60.3 dated Bangalore 18-11-42

with compliments

Copy of the above is forwarded to the Secretary, Legislature Council for information

PR.30.

9. THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Objects and reasons.

A surcharge on transfers of immovable property is a recognised form of securing for the community a share in the increment in values of private immovable property when such increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by a local authority.

Such a tax on transfers of property exists in Madras City, and in the Civil and Military Station, Bangalore. By a resolution passed in August 1939, the Bangalore City Municipal Council have requested Government to frame legislation for the levy of such a duty in respect of certain conveyances within the city and to make over the additional revenue from this source to the Municipal Council. This additional revenue is estimated to be in the neighbourhood of Rs. 10,000 per annum.

There is at present no provision in any of the Municipal Acts in force in Mysore, empowering the levy of such a duty. Government consider it desirable to provide for the imposition of such a duty, as it will result in a small measure in an increase in the revenue of Municipalities in the State. With this object, this Bill has been brought forward. The scope of this levy is limited to sale, gift and mortgage agreeably to the wishes of a large number of members of the Assembly to which expression was given when the Bill was placed before that Chamber in October 1942.

Hari copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. RL 604 Legi 37-42-1

General & Revenue Secretariat,
Dated, BANGALORE, 18th November, 1942.

: NOTIFICATION :

Under the provisions of Rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore Town Municipalities (Second Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

Jr Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and for the supply of copies to 350 cy the Secretariat.

Copy forwarded to the Translation Section

Memo No. RL 605 dated Bangalore 18-11-42

Copy of the above is forwarded with compliments to the Secretary, Legislative council for information.

PR.10.

Fair copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. RL 606 Legi 38-42-1

General & Revenue Secretariat,
Dated, BANGALORE, 18th November, 1942.

NOTIFICATION :

Under the provisions of Rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore Minor Municipalities (Second Amendment) Bill together with the Statement of Objects and Reasons.

By Order,
BVR
Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and for the supply of copies to 350 copies the Secretariat.

Copy forwarded to the Translation Section

Memo No RL 607 dated Bangalore 18-11-42

Copy of the above is forwarded with compliments to the Secretary, Legislative Council, for information

PR.10.

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:-

Short title and commencement

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 64, Act VII of 1933

2. (1) In section 64 of the Mysore City Municipalities Act, 1933, -

(a) in clause (b) after the words and figures, "at rates not exceeding those prescribed in schedules I tc VI", the words "except the levy under clause (XIII) which shall be levied in accordance with the provisions of section 67-A"; shall be added, and

(b) Clause (~~13~~ XII) shall be renumbered as Clause (~~14~~ XIII) and before the clause as so renumbered the following clause shall be inserted, namely:-

"(13) A duty on certain transfers of immovable property in the shape of additional stamp duty;"

Addition of a new section 67-A to Act VII of 1933

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely:-

Duty on transfers of immovable properties

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property, or the amount secured by the mortgage, as set forth in the instrument.

(2) On the introduction of the transfer duty,-

(a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

10. THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL

Statement of Objects and Reasons.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property, when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act 1933. The present Bill is intended to secure for the Town Municipal Councils a similar power. The scope of this levy is limited to sale, gift and mortgage agreeably to the wishes of a large number of members of the Assembly to which expression was given when the Bill was placed before that Chamber in October 1942.

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 — Short title and commencement

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2.(1) In Section 61 of the Mysore Town Municipalities Act, 1933-- — Amendment of section 61, Act VIII of 1933

a) in clause (b) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause/XIII which shall be levied in accordance with the provisions of section 64-A" shall be added, and;

b) Clause (~~13~~ XIII) shall be renumbered as clause (~~14~~ XIV) and before the clause as so renumbered the following clause shall be inserted, namely--

"(13)(1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely--

"64-A(1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on ~~the value of the property~~ as set forth in the instrument. — Addition of a new section 64-A to Act VIII of 1933

as the case may be, the amount of the consideration, the [illegible] or the amount secured by the [illegible]

(2) On the introduction of the transfer duty--

a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

11. THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Objects and Reasons.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property when such an increment accrues on account of any devemopment or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present amendment seeks to bring the Mysore Minor Municipalities Act in a line with the Mysore City Municipalities Act and the Mysore Town Municipalities Act, which is also proposed to be amended similarly. The scope of this levy is limited to sale, gift and mortgage agreeably to the wishes of a large number of members of the Assembly to which expression was given when the Bill was placed Before that Chamber in October 1942.

THE MYSORE MINOR MUNICIPALITIES (SECOND AMENDMENT) BILL

WHEREAS it is expedient to amend the Mysore Minor Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore Minor Municipalities (Second Amendment) Act, 194 — Short title and commencement

(2) This Section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In sub-section (1) of section 61 of of the Mysore Minor Municipalities Act, 1933, clause (i) shall be renumbered as clause(j) and before the clause as so renumbered, the following clause shall be inserted, namely-- — Amendment of section 61, Act IX of 1933.

"(i) with the sanction of the Government a duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 62 of the Mysore Minor Municipalities Act, 1933, the following section shall be inserted, namely-- — Addition of a new section 62-A to Act IX of 1933

"62-A.(1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900 on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one percentum on, as the case may be, the amount of the consideration, the value of the property, or the amount secured by the mortgage, as set forth in the instrument. — Duty on transfers of immovable properties

(2) on the introduction of the transfer duty--

(a) Section 27 of the Mysore Stamp Act, 1900 shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(b) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section

File No.

Serial No

No. 4971-77/4c

Diary No. of letter replied to .....

To

Official Memorandum

General and Revenue Secretariat
R. A. & L. C.
( )

The meetings of the Select committee to consider the Mysore city Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill will be held at 2 P.M. on Friday the 2nd April 1943 in the chamber of the Minister for Local Self-Government and public Health, Old public Offices, Bangalore.

Date of issue 24-3-43.

Signed by Mr. BKR

By Order

BKR

Secretary to the Select Committee

List of enclosures Nil

Copied by .....

Examined by .....

BNN 23/3/43

23-3-43

Forwarded to

(1) Khan Bahadur Mahomed Afthas Khan

(2) Mr. T. Madiah Gowda

(3) " L. S. Rayu

(4) " H. Venkataramaiah

(5) " B. S. puttaswamy

(6) " C. Narayanaswamy Naidu

(7) " C Lakshmana Gowda

Copy to

(1) R.A. & L.C Office

(2) Office Branch

(3) President, the Mysore Legislative council

(4) P.A to the Minister for Local Self. Govt and Public Health

C. No. .....
Ref. on Pet. No. ..... } 19 —19
App. No. .....

Dis. No.

Enclosure 5857-63 Lc

DRAFT.

To

The

Office copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 4971-77/Lc.

Office of the Secretary,
Mysore Legislative ~~xxCouncil~~ Council,
Bangalore, dated 24th March 1943.

OFFICIAL MEMORANDUM.

The meetings of the Select Committees to consider the Mysore City Municipalities (Second Amendment) Bill and the Mysore ~~Town~~ Municipalities (Second Amendment) Bill will be held at 2 p.m., on Friday, 2nd April 1943, in the Chambers of the Minister for Local Self Government and Public Health, Old Public Offices, Bangalore.

By Order,

Secretary to the
Select Committee.

Forwarded to
1) The members of the Select committee
2) president, Mysore legislative council for info
(3) R.A. to the Office
(4) Office Branch

Reminded on.....

may be returned to this off
very early with your app
thereto

WD 05043—GPB—30,000—30-12-41

27/4/43

Secret

To
The Select

Forwarded to:-1) Mr. T. Madi

(2) Mr. R.S. Raju

(3) " H. Venkataramaiah

(4) " B.S. puttaswamy

(5) " C. Lakshmana Gowda

(6) Khan Bahadur Mahmed Afzal Khan

(7) " C. Narayanaswami Naidu

Office copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary,
Representative Assembly and Legislative Council.

Bangalore Dated 28th April 1943

No. /Encls. 2.

FROM

The Secretary,
Representative Assembly and Legislative Council.

TO

SIR,

I have the honour to forward herewith one copy each of the reports of the Select Committees appointed to consider the Mysore City Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill, and to request that the same may be returned to this office very early with your approval thereto.

I have etc.,

DXR

Secretary to the Select Committees.

DXR.

Legislative council

Report of the Select Committee on ~~the Mysore City Municipalities (Second Amendment) Bill.~~ the Mysore City Municipalities (Second Amendment) Bill

The undersigned,

We, ~~the~~ members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill ~~has been~~ was referred, have considered ~~the several clauses of~~ the Bill and have now the honour to submit this our report with the Bill as amended by us annexed thereto ~~make the following report~~:

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:

> "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs 2500/-."

As the Bill has not undergone any material alterations, we recommend that it need not be republished.

2 The Bill ~~has been~~ was published, as required by the Rules, in the Official Gazette dated the 26th November 1942 in English and Kannada ~~on 26th November 1942~~.

3 We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended

BKR
3.4.43

Bangalore dated 2nd April 1943

Legislative Council

Report of the Select Committee ~~on the Mysore Town Municipalities (Second Amendment) Bill~~. on the Mysore Town Municipalities (Second Amendment) Bill

We, ~~the~~ the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill ~~has been~~ was referred, have considered ~~the several clauses~~ of the Bill and have now the honour to ~~make the following~~ submit this our report, with the Bill as amended by us annexed thereto. ~~report~~:

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:

> "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs 1000/-."

As the Bill has not undergone any material alterations, we recommend that it need not be republished.

2 The Bill ~~has been~~ was published as required by the Rules, in the Official Gazette dated the 26th November 1942 in English and Kannada ~~on 26th November 1942~~.

3 We think that the Bill has not been so altered as to require republication and we recommend that it be passed as now amended. BKR 3.4.43

Bangalore, Dated 2nd April 1943.

Proceedings of the meeting of the Select Committee to consider the MYSORE CITY MUNICIPALITIES (Second Amendment) BILL, held in the Chambers of the Minister for Local-Self Government & Public Health on Friday the 2nd April 1943, at 2 P.M.

MEMBERS:

1. Mr. H. B. Gundappa Gowda (CHAIRMAN)
2. Mr. C. Narayanaswami Naidu
3. Khan Bahadur Mahomed Abbas Khan
4. Mr. T. Madiah Gowda
5. Mr. L. S. Raju
6. Mr. H. Venkataramiah
7. Mr. B. S. Puttaswamy
8. Mr. C. Lakshmana Gowda

Mr. B. K. Ramakrishnaiya (Secretary)

Cl. 1. (1) and (2):

Messrs. L. S. RAJU, H. VENKATARAMIAH and MAHOMED ABBAS KHAN thought that clause 1 was not in proper form and that there was vagueness in the meaning of certain words like "This section". The latter two members were not also quite satisfied about the application of the other provisions of this Act by notification to any municipality.'

Mr. L. S. RAJU proposed that the words "and it shall come into force at once" be added at the end of sub-clause (1) alone.

Mr. C. NARAYANASWAMI NAIDU explained that the Government had no power to notify unless section 1 came into operation.

The CHAIRMAN observed that it was only an enabling Act to empower Government to notify and that so far as application was concerned, there ought to be notification whether it would apply to a certain municipality or not. He added that this was the legal phraseology and that it required no amendment.

It was agreed to retain clause 1 as it was.

Clause 2.(1)

Mr. L. S. RAJU suggested that as in the main Act, the Roman figures 'XIII and XIV' occurring in this clause might be set in small types (in italics?).

The suggestion was noted.

Mr. T. MADIAH GOWDA wanted some other ~~apt~~ word to be substituted for the word 'certain' as in his opinion ~~it might~~ the word 'certain' might mean definite kinds of transactions or even indefinite transactions.

The Committee, however, felt that the word 'certain' was ~~necessary~~ all right.

Clause 2.(2)

Khan Bahadur Mahomed ABBAS KHAN suggested that the word 'mortgage' occurring in the new section (67-A) might be deleted as it ~~meant~~ only a temporary ~~period~~ transfer and as it did not constitute an absolute ~~possession.~~ transfer Even otherwise, he opined that some ~~uniform~~ concession must be shown in the case of transfers and that only to mortgages of certain value, say Rs ~~500/-~~ 5000/- and upwards, ~~should be made applicable under the section~~. The levy should be made applicable

Mr. L. S. RAJU, though not favouring the exclusion of this kind of transfer, viz. mortgage of immovable property, from the category, agreed with Mr. Abbas Khan that a minimum (say Rs 1000 or 2000) might be fixed ~~and that it should be uniform.~~ He suggested the addition at the end of sec. 67-A.(1), of the words like "provided that no such duty shall be levied if the amount secured by the mortgage is below Rs 1000/- or so."

Mr. H. VENKATARAMIAH was ~~against~~ not in

favour of fixing any minimum as it would adversely affect the revenue of the municipdaity and more so in the case of the town municipality. He however felt that if a minimum were to be fixed, it should be Rs 500/- and not more. He also suggested that this minimum might be fixed only for simple mortgages.

While Agreeing with Mr. H. Venkataramiah, Mr. T. MADDAH GOWDA added that it should be made applicable to other kinds of transfers/like settlement, exchange, long leases, etc.

Mr. C. NARAYANASWAMI NAIDU observed that the matter of fixing the minimum should be left to the discretion of the municipality as otherwise they would be restricting the powers of the municipality.

The CHAIRMAN observed that some minimum might be fixed.

After some discussion, Rs 1000/- was fixed as the minimum. It was finally agreed that words to the following effect should be added at the end of section 67-A.(1

"provided that no such duty is leviable in respect of mortgages where the amount secured by the mortgage does not exceed Rs 1000/-."

The above amendment applies to the other Bill, viz. the Mysore Town Municipalities (Second Amendment) Bill.

The Committee then adjourned.

C. No. .....
Ref. on. Pet. No. ..... } 19 —19
App. No .....

Dis. No. 6268-69 L.C

Enclosure .....

Dated 8/5/43

Approved on .. ..

Copied on .....by.....

Examined on .....by.....

Signed on .....

Despatched on .....

Entered in :—

Current
Petition } Register on .....
Appeal by .....

Periodical

Reminded on .....

DRAFT.

To

Docket Abstract.

Sir, I have the honour to invite your attention to the copies of the reports of the Select committees on the Mysore city Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill forwarded with this Office letter No 5857-63 L.C. dated 26th April 1943, ~~and to~~ request you to

WD 0970—GPB—50,000—14-10-42

and to request to be you to kindly return the same ~~will~~ at a very early date with your approval thereto.

I have the
honour

N.
8-5-43

To Secretary to the Select Committee

Forwarded to :-

(1) Mr H. Venkataramiah

(2) " B.S. puttaswamy

SH

Bom 15 SL

3002/L.C

LEGISLATIVE COUNCIL

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:--

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now ~~recommended~~ amended.

Bangalore,
Dated 2nd April 1943.

approved
H Venkatarao
9-5-43

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangal
Dated 2nd April 1943.

approved
K Venkatarama
9.5-43.

3666 / L.C.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary,
Representative Assembly and Legislative Council.

Bangalore Dated, 28th April 1943

No. SS 57-6/42/Encls. 2.

FROM

The Secretary,
Representative Assembly and Legislative Council.

To

M. Narayanaswamy Naidu Esqr., B.A., B.L.,
M.L.C. & Secretary to Govt., Law Department
Bangalore

SIR,

I have the honour to forward herewith one copy each of the reports of the Select Committees appointed to consider the Mysore City Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill, and to request that the same may be returned to this office very early with your approval thereto.

I have etc.,

BKR
28.4.43

B K Ramakrishnaya

Secretary to the Select Committees.

DKR.

OFFICE OF THE SECRETARY
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A. the following may be added:--

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules, in the official Gazette dated the 30th November 1962 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now recommended.

Bangalore,
Dated 2nd April 1963

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

3667/L.C.

No. 796.

Office of the Advocate-General
in Mysore,

Bangalore, dated 29th April 1943.

From

L.C. Lakshmana Gouda, Esq.,B.A.,B.L.,
Advocate-General in Mysore,
BANGALORE.

To

The Secretary,
Representative Assembly
and Legislative Council,
BANGALORE.

OFFICE OF THE SECRETARY
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Sir,

I have the honor to return herewith, duly approved, the reports of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill received with your letter No.5857-63/L.C. dated the 28th April 1943.

I have the honor to be,
Sir,
Your most obedient servant,

Lakshmana Gouda

Advocate-General.

CSN.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:--

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as amended now recommended.

Bangalore,
Dated 2nd April 194

Approved.
Chikkanna Gowda

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the origiaal Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added;

> "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 23th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

Approved. Cubbon Tyn

3668/L.C.

LEGISLATIVE COUNCIL.

OFFICE OF THE SECRETARY
LEGISLATIVE COUNCIL

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are [illegible] so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:--

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now recommended.

Approved
29.4.43

Bangalore,
Dated 2nd April 1943.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:-

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

Approved.
Lewis
29.4.43

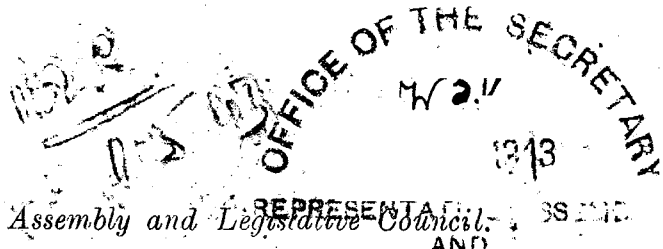
3679/L.C.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary,
Representative Assembly and Legislative Council.

Bangalore Dated, 28th April 1943

No. S857-43 1/2/Encls. 2.



FROM

The Secretary,
Representative Assembly and Legislative Council.

To

Shafiq-ul-Mulk Khan Bahadur M. L.C.
Mahamed Abbas Khan,
60, Avenue Chinnaswamy Street, Bangalore City

SIR,

I have the honour to forward herewith one copy each of the reports of the Select Committees appointed to consider the Mysore City Municipalities (Second Amendment) Bill and the Mysore Town Municipalities (Second Amendment) Bill, and to request that the same may be returned to this office very early with your approval thereto.

I have etc.,

V V Ramakrishnaiya

Secretary to the Select Committees.

DKR.

Sir,

I am sending herewith the above Select bills duly signed by me

Yours Sincerely

30th April 1943 Mohammed Abbas Khan

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 3. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A the following may be added:--

provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as amended now recommended.

Bangalore,
Dated 2nd April 1943.

Mohammad Abdul Khan

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the origiaal Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added;

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Mohammad Abdul Khan

Bangalore,
Dated 2nd April 1943.

3717/L.C.

Closed

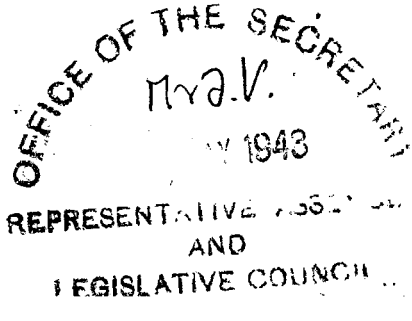
2/5/43

Dear Sir,

I have herewith returned the copies of the amended bills with my approval.

Yours sincerely
S. Madras
M.L.C.

The Secretary
R.A. & L.C.
Public Offices
Bangalore



LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor & the middle classes if duty was levied irrespective of the amo secured by the mortgage and that a limit should therefore be scribed. We accordingly recommend that at the end of sub-(1) of the proposed Section 67-A, the following may be add,

"provided that no such duty is leviable in respect mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules the official Gazette dated the 26th November 1942 in Englis and Kannada.

3. We think that the Bill has not been so altered as require republication, and we recommend that it be passed as now ~~recommended~~ amended

Bangalore,
Dated 2nd April 1943

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added

> "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

Sd/- [illegible]

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:--

> lded that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-

2. The Bill was published, as required by the Rules, in the official Gazette dated the 25th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now recommended

Bangalore
Dated 2nd April 1943.

13/5

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:-

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

C. No. .....
Ref. on pet. No. ..... } 19 —19
App. No. .....

Dis. No. R1 1091

Enclosure .....

Dated 1.6.43

Approved on .....

Copied on .....by.....

Examined on .....by.....

Signed on .....

Despatched on .....

Entered in—

Current
Petition
Appeal
—Register on.....
By.....

Periodical

Reminded on .....

DRAFT.

To

The

Docket Abstract.

~~Sir,~~ Notification

under Standing Order 36 of the Legislative Council Standing Orders, the follow report of the Select Committ on the Mysore Town Municipal (Second Amendment) Bill and the Bill as amended by the Select Committee ar published for general informati

By Orde

Secreta

2V.
1-6-43

WD 05043=GPB=80,000—30-12-41

Mysore legislative cou

To

The compiler, Mysore Gaz
for publication in part IV
the gazette and supply 4
175 printed copies to the Se

(2) Copy to the Translation Section

Gazette 1-5

Proof for Approval.

29-5-43

NOTIFICATION.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Town Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,
B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.—(1) We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2.—(2) We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:—

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942, in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA,
Chairman.
„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MADIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE,
Dated 2nd April 1943.

AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined indicate the amendments suggested by the Committee omissions are indicated by asterisks.]

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 61 Act VIII of 1933.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933—

(*a*) in clause (*b*) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause (*) (XXII) which shall be levied in accordance with the provisions of section 64-A" shall be added; and

(*b*) clause (*) (XXII) shall be renumbered as clause ( ) (XXV) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

Addition of a new section 64-A to Act, VIII of 1933.

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument.

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

(2) On the introduction of the transfer duty—

(*a*) section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality;

(*b*) section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

C. No. .....
Ref. on. Pet. No. ..... } 19 —19
App. No. .....

Dis. No. proof

8936 IV

Enclosure 2-1

Dated ..... Pencil Proof

Approved on .....

Copied on .....by.....

Examined on .....by.....

Signed on .....

Despatched on .....

Entered in:—

Current 1/3

Petition Register on .....

Appeal by .....

Periodical

Reminded on .....

DRAFT.

6916 RA/5

To

Docket Abstract.

Notification

~~Sir,~~

Under Standing Orde
36 of the Legislative
Council Standing Orde
the following report of
the Select Committee
on the Mysore Town Muni
cipalities (Second Amend
t) Bill and the Bill
as amended by the
Select Committee are
published for general
information

By Order
(Sd) B K Ramakrishnaya
Secretary
Mysore Legislative Council

WD 0929—GPB—50,000—14-10-42

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE TOWN MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.(1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000/-"

2. The Bill was published as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

Bangalore,
Dated 2nd April 1943.

Sd/ H.B. Gundappa Gowda (Chairman)
" C. Narayanaswami Naidu
" C. Lakshmana Gowda
" Mahomed Abdul Khan
" T. Madiah Gowda
" L.S. Raju
" H. Venkataramiah
" B.S. Puttaswamy

C. No. ....
Ref. on pet. No..... } 19 —19
App. No... .....

Dis. No. WL 1092

Enclosure .....

Dated 1-6-62

Approved on .....

Copied on .....by. .....

Examined on.....by.....

Signed on .....

Despatched on .....

Entered in—

Current
Petition
Appeal
} Register on.....
By.....

Periodical

Reminded on .....

DRAFT.

To

The

Docket Abstract.

~~Sir,~~ Notification

under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information

By order

Secretary,

Mysore Legislative council

24
1-6-62

WD 05043—GPB—80,000—30-12-41

FCVN 70,
1/6.

(1) The compiler Mysore Gazette
for publication in part IV
of the next issue of the Gazette and supply of
175 printed copies to the Secty

by the translation
section

Proof for Approval

29/5/43

NOTIFICATION.

Under standing Order 36 of the Legistative Council standing orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general infomation.

By order,
B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE ~~ON~~ THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned me bers of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to sub nit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).—We recommend that the figures referring to clause 13 and p oposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).—We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:—

" provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500 :--

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to required republication, and we recommend that it be passed as now amended.

(Sd) H. B. GUNDAPPA GOWDA
(*Chairman*
„ C. NARAYANASWAMI NAIDU
„ C. LAKSMANA GOWDA
„ MAHOMED ABBAS KHAN
„ T. MADIAH GOWDA
„ L. S. RAJU
„ H. VENKATARAMIAH
„ B. S. PUTTASWAMY

BANGALORE,
Dated 2nd April 1943.

[AS AMENDED BY THE SELECT COMMITTEE]

[Words underlined indicate the amendments suggested by the committee omissions are indicated by asterisks].

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 64, Act VII of 1933.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,—

(*a*) in clause (*b*) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words " except the levy under clause (*) xiii which shall be levied in accordance with the provisions of section 67-A" shall be added; and

(*b*) Clause (*) xiii shall be re-numbered as clause (*) xiv and before the clause as so renumbered the following clause shall be inserted, namely :—

"(13) A duty on certain transfers of immovable property in the shape of an additional stamp duty;"

Addition of a new section 67-A to Act VII of 1933.

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :—

Duty on transfers of immovable properties.

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable

property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument. Provided that no such duty is leviable in respect of mortgages where the amount secured by mortgage does not exceed Rs. 2,500—

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

DRAFT.

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Ref. on. Pet. No. ..... } 19 —19

App. No. .....

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Dis. No. .....

8936 IV 2.1

Enclosure .....

Dated ..... Forwarded

Approved on .....

Copied on .....by.....

Examined on .....by.....

Signed on .....

Despatched on .....

Entered in :—

Current
Petition } Register on .....
Appeal by .....

Periodical

Reminded on .....

To

Docket Abstract.

Sir

Notification

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information

By Order

(Sd) B.K. Ramakrishnaiya

Secretary

Mysore Legislative Council

WD 0970—GPB—50,000—14-10-42

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

On

THE MYSORE CITY MUNICIPALITIES (Second Amendment) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).--We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).--We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added:--

> "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500/-."

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now ~~recommended~~ amended.

Bangalore,
Dated 2nd April 1943.

d) H.B. Gundappa Gowda (Chairman)
Narayanaswami Naidu
Lakshmana Gowda
Ahmed Abbas Khan
T. Madiah Gowda
L.S. Raju
H. Venkataramiah
B.S. Puttaswamy

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJÂ OF MYSORE

Order No. Legis 10-43-1 Dated, Bangalore, 5th Aug 1943

Ordered that the accompanying Mysore City Municipalities (Second Amendment) Act 1943

which received the assent of His Highness the Maharaja, on the 27th day of July 1943, be published as Act No. XXXII of 1943, in the *Mysore Gazette*, for general information.

Ans 6/8/43

5-8-43

General Secretary to Government.

Law Department

To

1 The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2. Copy to the Translation Section

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

ORDER NO. RL 170 /Legis. 10-43-1

Dated, BANGALORE, 12th August 1943.

Ordered that the accompanying Mysore City Municipalities (Second Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 27th day of ~~His Highness the Maharaja on the~~ July 1943, be published as Act No.XXXI of 1943, in the Mysore Gazette for general information.

Secretary to Government
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada, and for supply of spare copies in English and Kannada, as per standing orders.

Copy to the Translation Branch.

PPS/10

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. Legis 10-43-2 Dated, Bangalore, 5th Aug 1943

Ordered that the accompanying Mysore Town Municipalities (Second Amendment) Act 1943

which received the assent of His Highness the Maharaja, on the 27th day of July 1943, be published as Act No. XX III XXXIII of 1943, in the *Mysore Gazette*, for general information.

General Secretary to Government.
Law Department

To

1. The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2. Copy to the Translation Section.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. R 171 /Legis.10-43-2.

Dated, Bangalore, 12th August 1943.

Ordered that the accompanying Mysore Town Municipalities (Second Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 27th day of July 1943, be published as Act No. XXXIII of 1943 in the Mysore Gazette for general information.

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada, and for supply of spare copies in English and Kannada as per standing orders.

Copy to the Translation Section.

PR. 12-8

of providing for the levy of a duty on certain transfers of immovable property ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 . Short title and commencement.

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933— Amendment of section 61 Act VIII of 1933.

(a) in clause (*b*) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 64-A" shall be added ; and

clause (*) (xiii) shall be renumbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (*a*) A duty on transfers of immovable property in the shape of an additional stamp duty ;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument : Addition of new section 64-A to Act VIII of 1933.

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

(2) On the introduction of the transfer duty—

(*a*) section 27 of the Mysore Stamp Act, 1900, shall

be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality ;

(*b*) section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

(Sd) . N . Madhava Rau

Dewan

NOTIFICATION.

No. 1091—*Rl.*, *dated Bangalore, the 1st June* 1943.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Town Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

ON

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto

Clause 2.—(1) We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2.—(2) We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied

irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:—

" provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942, in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

d.) H. B. GUNDAPPA GOWDA,
Chairman.

„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MARIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE,

Dated 2nd April 1943.

[AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL, 1943

(as introduced with the sanction of His Highness the Maharaja on the 27th day of July 1943)

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 . Short title and commencemen

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,— Amendment of section 64, Act VII of 1933.

(*a*) in clause (*b*) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words " except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 67-A" shall be added ; and

(*b*) Clause (*) (xiii) shall be re-numbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely :—

(xiii)

" ( ) A duty on certain transfers of immovable property in the shape of an additional stamp duty ; "

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :— Addition of a new section 67-A to Act VII of 1933.

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument : Provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500— Duty on transfers of immovable properties.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

(Sd) N. Madhava Rau
Dewan

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. 1092—*Rl.*, *dated Bangalore, the* 1*st June* 1943.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE
ON
THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).—We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).—We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added :—

" provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500 :--"

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA
(*Chairman*).

„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MADIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE.

Dated 2nd April 1943.

AS AMENDED BY THE SELECT COMMITTEE

[Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

Act No XXXII of 1943

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) ~~BILL~~ Act 1943

ed the assent of His Highness the Maharaja on the 27th day of July 1943

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

NOTIFICATION.

No. 1092—*Rl., dated Bangalore, the* 1*st June* 1943.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).—We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).—We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added :—

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500 :-"

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA
(*Chairman*).
„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MADIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE,
Dated 2nd April 1943.

[AS AMENDED BY THE SELECT COMMITTEE]

Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

Introduced in the Legislative Council on 1st July 1943

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 . Short title and commencement.

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,— Amendment of section 64, Act VII of 1933.

(a) in clause (b) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words "except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 67-A" shall be added; and

(b) Clause (*) (xiii) shall be re-numbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely :—

"(13) A duty on certain transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :— Addition of a new section 67-A to Act of 1933.

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument: Provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500— Duty on transfers of immovable properties.

(2) On the introduction of the transfer duty—

(a) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.—

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

D. H. Chandrasekharaiya 12/1/63
president
legislative council

Printed by the Superintendent at the Government Press, Bangalore.

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15.6.43

NOTIFICATION.

No. 1092—Ln., *dated Bangalore, the* 1st *June* 1943.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore City Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore City Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2. (1).—We recommend that the figures referring to clause 13 and proposed clause 14 in Section 64, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2. (2).—We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 67-A, the following may be added :—

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500 :—"

2. The Bill was published, as required by the Rules, in the official Gazette dated the 26th November 1942 in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA
(Chairman).

„ C. NARAYANASWAMI NAIDU.

„ C. LAKSHMANA GOWDA.

„ MAHOMED ABBAS KHAN.

„ T. MADIAH GOWDA.

„ L. S. RAJU.

„ H. VENKATARAMIAH.

„ B. S. PUTTASWAMY.

BANGALORE,
Dated 2nd April 1943.

[AS AMENDED BY THE SELECT COMMITTEE]

Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 Short title and commencement.

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,— Amendment of section 64, Act VII of 1933.

(*a*) in clause (*b*) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words " except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 67-A" shall be added ; and

(*b*) Clause (*) (xiii) shall be re-numbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely :—

" (13) A duty on certain transfers of immovable property in the shape of an additional stamp duty ; "

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely :— Addition of a new section 67-A to Act VII of 1933.

" 67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument : Provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500— Duty on transfers of immovable properties.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

Printed by the Superintendent at the Government Press, Bangalore.

provided that no duty is levied in respect of mortgages where the amount secured by a mortgage does not exceed Rs 2500/-

property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument.

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

NOTIFICATION.

No. Rl. 604—Legis. 37-42-1, dated Bangalore, the 18th November 1942.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore Town Municipalities (Second Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

10. THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Objects and Reasons.

The provision for the levy of a surcharge on transfers of immovable property exists in the Municipal Acts of Madras City, and the Civil and Military Station, Bangalore. It is a recognised form of securing for the community a share in the increment in values of private immovable property, when such an increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by local authority. In order to implement a resolution passed by the Bangalore City Municipal Council and to frame legislation for such a levy, a Bill has been brought forward to amend the Mysore City Municipalities Act, 1933. The present Bill is intended to secure for the Town Municipal Councils a similar power. The scope of this levy is limited to sale, gift and mortgage agreeably to the wishes of a large number of members of the Assembly to which expression was given when the Bill was placed before that Chamber in October 1942.

NOTIFICATION.

No. Rl. 602—Legis. 36-42-1, dated Bangalore, the 18th November 1942.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore City Municipalities (Second Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,
Secretary to Government
Law Department.

9. THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

Statement of Objects and Reasons.

A surcharge on transfers of immovable property is a recognised form of securing for the community a share in the increment in values of private immovable property when such increment accrues on account of any development or improvement schemes executed by that community or by the general services rendered by a local authority.

Such a tax on transfers of property exists in Madras City, and in the Civil and Military Station, Bangalore. By a resolution passed in August 1939, the Bangalore City Municipal Council have requested Government to frame legislation for the levy of such a duty in respect of certain conveyances within the city and to make over the additional revenue from this source to the Municipal Council. This additional revenue is estimated to be in the neighbourhood of Rs. 10,000 per annum.

There is at present no provision in any of the Municipal Acts in force in Mysore, empowering the levy of such a duty. Government consider it desirable to provide for the imposition of such a duty, as it will result in a small measure in an increase in the revenues of Municipalities in the State. With this object, this Bill has

[As Amended by the Select Committee]

[Words underlined indicate the amendments suggested by the Committee. Omissions are indicated by asterisks]

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 64, Act VII of 1933.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,—

(a) in clause (b) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words "except the levy under clause (~~XIII~~) (xiii) which shall be levied in accordance with the provisions of section 67-A" shall be added; and

(b) Clause (~~XIII~~) (xiii) shall be re-numbered as clause (~~XIV~~) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely:—

"(13) A duty on certain transfers of immovable property in the shape of an additional stamp duty;".

Addition of a new section 67-A to Act VII of 1933.

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely:—

Duty on transfers of immovable properties.

"67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable

NOTIFICATION.

No. 1091—P] *dated Bangalore the* 1*st June* 1948.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Town Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

ON

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.—(1) We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2.—(2) We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied

irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added :—

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942, in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA,
Chairman.
„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MADIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE.

Dated 2nd April 1943.

[AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

In Legislative Council on 1st July 1943

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose

of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 61 Act VIII of 1933.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933—

(*a*) in clause (*b*) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 64-A" shall be added; and

(*b*) clause (*) (xiii) shall be renumbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

Addition of a new section 64-A to Act VIII of 1933.

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument: "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

(2) On the introduction of the transfer duty—

(*a*) section 27 of the Mysore Stamp Act, 1900, shall

be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality ;

(*b*) section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

D. H. Chandrakharappa 12/7/63
president
Legislative council

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NOTIFICATION.

No. 1091—*Rl.*, *dated Bangalore, the 1st June* 1943.

Under Standing Order 36 of the Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Town Municipalities (Second Amendment) Bill and the Bill as amended by the Select Committee are published for general information.

By Order,

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

LEGISLATIVE COUNCIL.

REPORT OF THE SELECT COMMITTEE

ON

THE MYSORE TOWN MUNICIPALITIES (SECOND ENDMENT) BILL.

We, the undersigned members of the Select Committee to which the Mysore Town Municipalities (Second Amendment) Bill was referred, have considered the Bill and have now the honour to submit this, our report, with the Bill as amended by us annexed thereto.

Clause 2.—(1) We recommend that the figures referring to clause 13 and proposed clause 14 in Section 61, should be in Roman figures of the type adopted in numbering the other clauses in the original Act.

Clause 2.—(2) We are of opinion that so far as mortgages are concerned, it would work as a great hardship to the poor and the middle classes if duty was levied

irrespective of the amount secured by the mortgage and that a limit should therefore be prescribed. We accordingly recommend that at the end of sub-section (1) of the proposed Section 64-A, the following may be added:—

" provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

2. The Bill was published as required by the Rules, in the Official Gazette dated the 26th November 1942, in English and Kannada.

3. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

(Sd.) H. B. GUNDAPPA GOWDA,
Chairman.
„ C. NARAYANASWAMI NAIDU.
„ C. LAKSHMANA GOWDA.
„ MAHOMED ABBAS KHAN.
„ T. MADIAH GOWDA.
„ L. S. RAJU.
„ H. VENKATARAMIAH.
„ B. S. PUTTASWAMY.

BANGALORE
Dated 2nd April 1943

[AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined indicate the amendments suggested by the Committee; omissions are indicated by asterisks.]

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose

of providing for the levy of a duty on certain transfers of immovable property

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 61 Act VIII of 1933.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933—

(a) in clause (b) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause (*) (xiii) which shall be levied in accordance with the provisions of section 64-A" shall be added; and

(b) clause (*) (xiii) shall be renumbered as clause (*) (xiv) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

Addition of a new section 64-A to Act VIII of 1933.

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument: "provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 1,000."

(2) On the introduction of the transfer duty—

(a) section 27 of the Mysore Stamp Act, 1900, shall

be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality ;

(*b*) section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

Printed by the Superintendent at the Government Press, Bangalore.

of property situated within and without the Municipality ;

(*b*) section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

[As Amended by the Select Committee]

Words underlined indicate the amendments suggested by the Committee. Omissions are indicated by asterisks.

THE MYSORE TOWN MUNICIPALITIES (SECOND AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore Town Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore Town Municipalities (Second Amendment) Act, 194 .

(2) This section shall come into force at once and the Government may, by notification in the official Gazette, apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 61, Act VIII of 1933.

2. (1) In section 61 of the Mysore Town Municipalities Act, 1933—

(a) in clause (b) after the words and figures "at rates not exceeding those prescribed in schedules I to VI" the words "except the levy under clause ~~(XIII)~~ (xiii) which shall be levied in accordance with the provisions of section 64-A" shall be added; and

(b) clause ~~(XIII)~~ (xiii) shall be renumbered as clause ~~(XIV)~~ (xiv) and before the clause as so renumbered the following clause shall be inserted, namely—

"(13) (1) A duty on transfers of immovable property in the shape of an additional stamp duty;"

(2) After section 64 of the Mysore Town Municipalities Act, 1933, the following new section shall be inserted, namely—

Addition of a new section 64-A to Act VIII of 1933.

"64-A (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument.

(2) On the introduction of the transfer duty—

(a) section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect

"provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs 1000/-"

NOTIFICATION.

Order No. Rl. 170—*Legis.* 10-43-1, *dated Bangalore, the* 12*th August* 1943.

Ordered that the accompanying Mysore City Municipalities (Second Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 27th day of July 1943, be published as Act XXXII of 1943, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT XXXII OF 1943.

THE MYSORE CITY MUNICIPALITIES (SECOND AMENDMENT) ACT, 1943.

(*Received the assent of His Highness the Maharaja on the twenty-seventh day of July 1943.*)

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933, for the purpose of providing for the levy of a duty on certain transfers of immovable property;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore City Municipalities (Second Amendment) Act, 1943.

(2) This section shall come into force at once and the Government may by notification in the official Gazette apply the other provisions of this Act to any Municipality which may be specified in such notification.

Amendment of section 64, Act VII of 1933.

2. (1) In section 64 of the Mysore City Municipalities Act, 1933,—

(*a*) in clause (*b*) after the words and figures, "at rates not exceeding those prescribed in schedules I to VI", the words "except the levy under clause (xiii) which shall be levied in accordance with the provisions of section 67-A" shall be added; and

(*b*) clause (xiii) shall be re-numbered as clause (xiv) and before the clause as so re-numbered, the following clause shall be inserted, namely,—

" (xiii) A duty on certain transfers of immovable property in the shape of an additional stamp duty ; "

Addition of a new section 67-A to Act VII of 1933.

(2) After section 67 of the Mysore City Municipalities Act, 1933, the following section shall be inserted, namely,—

Duty on transfers of immovable properties.

" 67-A. (1) The duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Mysore Stamp Act, 1900, on instruments of sale, gift and mortgage of immovable property situated within the limits of the Municipality at a rate not exceeding one per centum on, as the case may be, the amount of the consideration, the value of the property or the amount secured by the mortgage, as set forth in the instrument :

Provided that no such duty is leviable in respect of mortgages where the amount secured by a mortgage does not exceed Rs. 2,500—

(2) On the introduction of the transfer duty—

(*a*) Section 27 of the Mysore Stamp Act, 1900, shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and without the Municipality.

(*b*) Section 64 of the same Act shall be read as if it referred to the Municipal Council as well as the Government.

(3) The Government may make rules for regulating the collection of the duty, the payment thereof to the Municipal Council and the deduction of any expenses incurred by the Government in the collection thereof.

(4) No duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument."

N. MADHAVA RAU,

Dewan.

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